

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TRAVIS R. ARGABRIGHT,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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Case No. 3:11-cv-244

JUDGE WALTER H. RICE


DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATION (DOC. #23) IN ITS ENTIRETY; SUSTAINING PLAINTIFF'S UNOPPOSED MOTION FOR ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b) (DOC. #18); AWARDING PLAINTIFF \$10,189.25 IN ATTORNEY FEES; GRANTING JOINT STIPULATION FOR EAJA FEES AND COSTS (DOC. #22); AWARDING PLAINTIFF \$3,500 IN EAJA FEES AND COSTS, AND ORDERING PLAINTIFF'S COUNSEL TO PAY THIS SUM TO HER CLIENT; OVERRULING AS MOOT PLAINTIFF'S INITIAL MOTION FOR ATTORNEY FEES PURSUANT TO THE EAJA, 28 U.S.C. § 2412(d) (DOC. #19)

The Court has reviewed the January 11, 2013, Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #23), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b)(2) has expired, hereby ADOPTS said Report and Recommendation in its entirety.

Accordingly, the Court SUSTAINS Plaintiff's unopposed motion for attorney fees under 42 U.S.C. § 406(b) (Doc. #18), and AWARDS Plaintiff's counsel \$10,189.25 in attorney fees.

The Court also GRANTS the joint stipulation to award fees and costs under the Equal Access to Justice Act ("EAJA") (Doc. #22), AWARDS Plaintiff \$3,500 in EAJA fees and costs, ORDERS Plaintiff's counsel to pay this lesser sum to her client, and OVERRULES AS MOOT Plaintiff's initial motion for EAJA attorney fees and costs (Doc. #19). This case remains TERMINATED upon the Court's docket.

Date: March 8, 2013



WALTER H. RICE
UNITED STATES DISTRICT JUDGE